
CHAPTER 1173

PUD PLANNED UNIT DEVELOPMENT DISTRICT

1173.01 PURPOSE.

The purpose of the Planned Unit Development District (PUD) is to achieve, to the greatest possible degree, land development that is responsive to the natural and environmental assets and liabilities of a given site. The PUD provides an alternative zoning category that is intended to encourage imaginative design of development. The PUD should be a well-integrated development in terms of major design elements such as roads, drainage systems, utilities, and open space. The PUD allows greater design flexibility so that natural features may be protected and development concentrated in an innovative and efficient manner.

1173.02 GENERAL REQUIREMENTS AND PUD DISTRICT DESIGNATION.

Subsequent to the approval of the City Council, the designation of PUD may be applied to any existing zoning district, with the limitations described herein. There are two (2) types of PUDs:

- (a) A PUD may be a predominantly residential development, and in which case is referred to as a PUD-RS. A PUD-RS may only be applied to an existing residential district. The tract of land proposed to be developed as a PUD-RS must be owned, leased, or controlled by one (1) person or single entity, and must be at least five (5) contiguous acres in size.
- (b) A PUD may also be a mixed use development, referred to as a PUD-MX. A PUD-MX may be applied to any existing non-residential zoning district. The tract of land proposed to be developed as a PUD-MX must be owned, leased, or controlled by one (1) person or single entity, and must be at least five (5) contiguous acres in size.

Upon the approval of the final development plan according to this Chapter, the Official City Zoning Map shall be amended to designate the property "PUD-RS" or "PUD-MX."

1173.03 PERMITTED USES.

The permitted uses in both the PUD-RS and PUD-MX district are as set forth below:

- (a) **Permitted Uses - PUD-RS.**

An applicant may propose to include any mixture of permitted or conditional uses in any existing residential use district as well as land uses which are allowed as a permitted use in the C-1 district, provided that not more than twenty-five percent (25%) of the net acres in the development is devoted to non-residential uses.

- (b) **Permitted Uses - PUD-MX.**

An applicant may propose to include any mixture of non-residential land uses in a proposed PUD-MX development, provided that at least sixty percent (60%) of the net acres in the development are devoted to uses permitted in the district(s) applying to the property at the time of application.

1173.04 GENERAL DEVELOPMENT STANDARDS.

The following standards represent broad parameters under which all PUD developments must be designed:

(a) Central Water and Sewer Facilities.

All structures in developments approved as a PUD must be served by central or public water and sewer facilities.

(b) Development Layout and Design.

The design and layout of all PUDs shall display excellence in design by properly considering significant site features, such as topography, natural drainage patterns, roadway access and circulation, surrounding land uses, and general public welfare to result in desirable land development. Attractive landscaped buffers shall be provided between incompatible land uses and activities.

(1) Front, Side, and Rear Setback Standards for Perimeter Lots.

All lots that are located along the perimeter of the PUD shall have minimum front, side and rear setbacks equal to those that would normally be specified in the zoning district prevailing at the time of application for PUD approval or twenty-five feet (25'), whichever is greater.

(2) Off-Street Parking and Loading Facilities.

For all land uses located within the PUD, the parking and loading standards contained in **Chapter 1183** shall be applied.

(c) Residential (PUD-RS) Development Standards.

In addition to the general development standards described in **Section (b)** above, residential PUDs shall meet the following development standards:

(1) Clustering Residential Development and Required Open Space.

Clustering residential density is encouraged to provide required common open space. A minimum of twenty percent (20%) of the land developed for residential purposes in a PUD-RS project shall be reserved for common open space. This required amount of common space shall be established as common open space, under one ownership, and provision shall be established for maintenance and care. The legal articles relating to any organization of property owners in the development charged with such open space maintenance shall be submitted to the City. The City Council may require as a condition of final approval, any evidence deemed necessary to document that the required common space will remain in its stated condition as long as the development exists (including such as legal documents, deed restrictions, conservation easements, etc.).

(2) Clustering Residential Density.

To achieve a clustering of residential density and to provide for the required common open space, the lot area requirements for residential land uses may be reduced from the densities required under the district(s) applying to the property at the time of application by up to twenty percent (20%). The lot

width and yard requirements for residential lots may also be reduced as needed to accommodate a variety of structural patterns, clustering designs, and housing types.

(3) Residential Dwelling Types.

Along with clustering residential density, a PUD-RS may include a mixture of dwelling types, including single-family detached dwellings, two-family units, zero lot-line units, and multi-family units, provided the maximum densities defined in each existing zoning classification are not exceeded.

1173.05 GENERAL PUD APPROVAL PROCEDURE.

The applicant for a PUD is encouraged to informally present conceptual or preliminary plans to both the Planning Commission and City Council for review prior to extensive engineering and formal submission of a final development plan. Property proposed to be developed as a PUD must be rezoned to PUD; and the decision to approve a final development plan and to rezone a property to PUD are done concurrently. (Refer to **Chapter 1149** and **Section 4.04** of the **Charter of the City of Tiffin**)

1173.06 FINAL PLAN.

The applicant for a PUD shall submit ten (10) copies of the proposed Final Plan to the Zoning Inspector along with the required application fee. The Final Plan shall include the following:

- (a) The specific description of permitted, conditionally permitted, and accessory uses to be allowed in each area of the development.
- (b) A copy of proposed deed restrictions.
- (c) The Final Plan shall be drawn to illustrate:
 - (1) A survey and legal description of the proposed development site, showing dimensions and bearings of the property lines; area in acres, topography (at two foot [2'] contour intervals); and existing features of the development site, including major wooded areas, streets, easements, utility lines, and existing land uses.
 - (2) The location and dimensions of all lots, setbacks, and building envelopes.
 - (3) Conceptual drawings of sewer and water facilities, as well as street and drainage systems.
 - (4) A table indicating acreage devoted to various development types.
- (d) Landscaping plan for all buffers and other common areas.
- (e) Architectural guidelines to apply throughout the development.
- (f) The proposed names of all interior streets proposed for the development.

- (g) Layout and dimensions of all parking and loading areas along with an indication of what they are to be built to serve.
- (h) A description of the expected timing of the development.

In addition to the above, the City Council may require additional information, including environmental impact studies and archaeological surveys prepared by appropriate professionals to document the impacts of the development and to address potential mitigation measures. The applicant shall be responsible for reasonable expenses incurred by the City in reviewing final development plans. Such expenses are beyond application fees established by the City and may include professional service fees such as legal expenses or fees from other professionals, such as engineers, landscape architects, planners, or environmental scientists incurred in connection with reviewing the plans submitted.

1173.07 FINAL PLAN AND REZONING APPROVAL PROCEDURE PROCESS.

The decision to rezone land to PUD and to approve the Final Plan are accomplished concurrently. All PUD Final Plan submissions are deemed to be an application for amendment to the Zoning Code according to **Chapter 1149**. All procedures (Planning Commission review, public hearings, and action by the Council), therein shall be followed in considering an application for a rezoning of the land in question to PUD. Upon approval of such plan and rezoning, the City Zoning map shall be amended to designate the project area as “PUD-RS” or “PUD-MX.” Thereafter, with the concurrent approval of the rezoning and Final Plan pursuant to the criteria stated in **Section (a)** below, all development restrictions and conditions described in the Final Plan shall become official requirements of the PUD.

(a) Criteria of Approval - Final Plan.

The Planning Commission and City Council shall review the proposed Final Plan according to the following criteria:

- (1) That the proposed document is in conformity with the goals and objectives of the master plan.
- (2) That the proposed development advances the general health, safety, and morals of the City.
- (3) That the interior road system, proposed parking, and any off-site improvements are suitable and adequate to carry anticipated traffic generated by and within the proposed development.
- (4) That any exception from standard district requirements can be warranted by design and other amenities incorporated in the final development plan according to these PUD requirements.
- (5) That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
- (6) That the existing and proposed utilities, including water and sewer service,

and drainage plan will be adequate for the population densities and non-residential uses proposed in the PUD.

(b) Amendment (Changes).

After the final development plan has been approved by the City Council, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents. Minor changes, as defined herein, are allowed, provided such requests conform to the standards established by the final development plan and this Ordinance. A minor change shall require approval by the Planning Commission and shall include the following:

- (1) Adjustments to the size and location of buildings, swimming pools, and other on-site structures provided:
 - A. They do not result in an increase in the number of housing units approved in the Final Plan.
 - B. They do not encroach materially into the established setback areas.
 - C. They do not create a larger building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.
- (2) Alterations to the proposed drives and/or parking areas if they do not encroach into building areas or specified recreation areas.
- (3) Adjustments in the size and location of development identification signs.

A major change is any change that does not meet the criteria above and in addition, is one which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended. A major change shall require submittal of a Final Plan as defined in **Section 1173.06.** of that portion of the development proposed to undergo a major change.